

Art Unit: 2444

DETAILED ACTION

1. Amendment received on 10/29/2009 has been entered into record. No claim is amended.

Claims 1, 5-10 and 13-18 are currently pending.

2. Applicant's submission filed on 02/19/2009 was entered. Claims 1 and 9 were amended.

Claim 18 was new.

3. Amendment received on 06/26/2008 has been entered into record. Amendment to drawings and specification are reviewed and accepted. Claims 1, 5, 9 and 15-17 are amended.

Claims 2-4 and 11-12 are cancelled.

Priority

4. This application has no priority claim made. The filing date is 02/20/2004.

Examiner's Amendment

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

6. Authorization for this examiner's amendment was given in a telephone interview with David H. Judson (reg. no. 30,467) on 02/16/2010.

7. The application has been amended against applicant submitted claim set dated 02/19/2009 as follows (only examiner amended claims are shown):

IN THE CLAIMS

1. (Currently Amended) A method operative in a system in which a set of distributed servers accept file submissions, comprising:

in response to receipt of a submission of a file at a given server, communicating the file from the given server to other servers in the set to which the given server has connectivity;

if within a first timeout period the file has been successfully communicated from the given server to the other servers in the set, accepting the submission at the given server only if within a second timeout period a given subset of the ~~set of distributed~~ other servers reach an agreement to the submission ~~within a given timeout period~~, where the agreement is determined using a data exchange protocol that includes sub-steps as follows:

passing a bit vector from a first server to a second server, the bit vector including a first indication that the first server has knowledge of the file;

Art Unit: 2444

upon receipt of the bit vector at the second server, having the second server modify the bit vector to include, together with the first indication, a second indication that the second server also has knowledge of the file;

having the second server pass the bit vector, which includes the first and second indications, to one or more other servers in the given subset; and

upon a given state being reached, as indicated by at least the first and second indications in the bit vector, determining that the agreement has been reached within the ~~given~~ second timeout period; and

upon acceptance of the submission, staging the file for subsequent transport.

5. (Cancelled)

6. (Cancelled)

18. (Currently Amended) The method as described in ~~claim~~ Claim 9 wherein the first timeout period is a function of a size of the file.

19. (New) The method as described in Claim 1 wherein the first timeout period is a function of a size of the file.

20. (New) The method as described in Claim 1 wherein the given server communicates with at least one other server in the set over a secure link.

21. (New) The method as described in Claim 9 wherein the given server communicates with at least one other server in the set over a secure link.

22. (New) The method as described in Claim 1 wherein the file is one of: a configuration file, and a control file.

Art Unit: 2444

23. (New) The method as described in Claim 1 wherein each of the servers in the set accepts file submissions.

24. (New) The method as described in Claim 9 wherein each of the servers in the set accepts file submissions.

Reasons for Allowance

8. Claims 1, 7-10 and 13-24 are allowed as amended above.

The following is an examiner's statement of reasons for allowance:

The closest prior arts of record issued to Jeffords et al. (US 20010042139 A1), Janis (US 5263165 A), Satyanarayanan et al. (US 6662198 B2), Phillips et al. (US 7058696 B1) and Snyder (US 6643641 B1) fail to teach or suggest "a method operative in a system in which a set of distributed servers accept file submissions, comprising: in response to receipt of a submission of a file at a given server, communicating the file from the given server to other servers in the set to which the given server has connectivity; if within a first timeout period the file has been successfully communicated from the given server to the other servers in the set, accepting the submission at the given server only if within a second timeout period a given subset of the other servers reach an agreement to the submission, where the agreement is determined using a data exchange protocol that includes sub-steps as follows: passing a bit vector from a first server to a second server, the bit vector including a first indication that the first server has knowledge of the file; upon receipt of the bit vector at the second server, having the second server modify the bit vector to include, together with the first indication, a second indication that the second server also has knowledge of the file; having the second server pass the bit vector, which includes the first and second indications, to one or more other servers in the given subset; and upon a given state being reached, as indicated by at least the first and second indications in the bit vector, determining that the agreement has been reached within the second timeout period; and upon acceptance of the submission, staging the file for subsequent transport" in combination with all the elements of each independent claim as argued by Applicant. Applicant argues that Jeffords,

Art Unit: 2444

Janis, Satyanarayanan, Phillips and Snyder do not have the limitation of "timeout" within the context of one or more steps of claimed method invention (see last paragraph on page 1 through 3rd paragraph on page 2 of current amendment). Applicant further argues the obviousness in combining Jeffords and Janis in disclosing the timeout functions, particularly two timeout functions within specific context of method steps (see 3rd paragraph on page 4 through 2nd paragraph on page 5). These arguments are considered persuasive. Claims 1 and 9 are to be allowed upon further amendment, search and examination.

The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claims as well as for the further limitations set forth. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2444

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Peling A Shaw/
Examiner, Art Unit 2444